



Attorney's Docket No.: 04073P014

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Lalit Merani, et al. )  
 )  
Application No.: 09/823,786 )  
 )  
Filed: March 30, 2001 )  
 )  
For: METHOD AND APPARATUS FOR )  
IMPROVED SCHEDULING TECHNIQUE )  
\_\_\_\_\_ )

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date  
Granted) mailed June 4, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to  
the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of  
37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application;
- (4) a Petition for a one (1) month extension of time under 37 C.F.R. §  
1.136(a); and

08/17/2001 SSESHE1 00000038 09823786

02 FC:115

110.00 0P

(5) a check in the amount of \$110.00 in payment of the extension of time fee.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

LLP

Dated: 8/13/01



Robert B. O'Rourke  
Reg. No. 46,972

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8598

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on August 13, 2001  
Date of Deposit

Janece Shannon  
Name of Person Mailing Correspondence

Janece Shannon 8/13/01  
Signature Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,786	03/30/2001	Lalit Merani	004073P014

CONFIRMATION NO. 7424

## FORMALITIES LETTER



\*OC00000006143876\*

Robert B. O'Rourke  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

Date Mailed: 06/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a):

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/17/2001 SSESHE1 00000038 09823786

01 FC:105

130.00 OP



## FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT (\$) 240.00

### Complete if Known:

Application No. 09/823,786  
Filing Date March 30, 2001  
First Named Inventor Lalit Merani  
Group Art Unit Not Yet Assigned  
Examiner Name Not Yet Assigned  
Attorney Docket No. 04073P014

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
\_\_\_\_\_  
Credit Card  
\_\_\_\_\_  
Money Order  
\_\_\_\_\_  
Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	710	201	355	Utility application filing fee	_____
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____

SUBTOTAL (1) \$ 0.00

#### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i)	
091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					

**SUBTOTAL (3) \$ 240.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Robert B. O'RourkeSignature:  Date: 8/13/01Reg. Number: 46,972 Telephone Number: (408) 720-8300

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



HA

SECTOR  
\$  
\$**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on August 13, 2001  
Date of Deposit

Janece Shannon  
Name of Person Mailing Correspondence

Janece Shannon  
Signature

8/13/01  
Date

Serial/Patent No.: 09/823,786 Filing/Issue Date: March 30, 2001  
Client: Amber Networks, Inc.  
Title: METHOD AND APPARATUS FOR IMPROVED SCHEDULING TECHNIQUES

BSTZ File No.: 04073P014 Atty/Secty Initials: LJV/ROR/js  
Date Mailed: 8/13/01 Docket Due Date: 8/4/01

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)   | <input type="checkbox"/> Express Mail No.: _____                                     | <input checked="" type="checkbox"/> Check No. <u>44660</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                               | <input checked="" type="checkbox"/> <u>One (1)</u> Month(s) Extension of Time        | Amt: <u>\$110.00</u>                                       |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)             | <input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.)     | <input checked="" type="checkbox"/> Check No. <u>44662</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                    | <input type="checkbox"/> Issue Fee Transmittal                                       | Amt: <u>130.00</u>   |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                      | <input type="checkbox"/> Notice of Appeal  |  |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                             | <input type="checkbox"/> Petition for Extension of Time                              |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                 | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)                                       | <input checked="" type="checkbox"/> Postcard   |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)  | <input type="checkbox"/> Power of Attorney (____ pgs.)                               |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                  | <input checked="" type="checkbox"/> <u>Preliminary Amendment</u> (____ pgs.)         |  |
| <input type="checkbox"/> Assignment and Cover Sheet   | <input type="checkbox"/> Reply Brief (____ pgs.)                                     |  |
| <input checked="" type="checkbox"/> Certificate of Mailing                                      | <input type="checkbox"/> Response to Notice of Missing Parts                         |  |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>10</u> pgs.)                         | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |  |
| <input type="checkbox"/> Disclosure Docs & Orig. & Copy of Inventor's Signed Letter (____ pgs.) | <input type="checkbox"/> Transmittal Letter, in duplicate                            |  |
| <input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures                     | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate                    |  |

☒ Other: Copy of Notice to File Missing Parts (Filing Date Granted)  
Certificate of First Class Mailing with copy of postcard  
showing contents of First Class Package.